

**Listing of Claims:**

This Listing of Claims replaces all previous versions of the claims.

1. (Currently Amended) A method, comprising:
  - receiving a broadcast video signal at a first multimedia apparatus;
  - receiving text communications from each of a second plurality of other multimedia apparatuses;
  - displaying television programming of said broadcast video signal in a first display area of a display;
  - determining a theme of the television programming;
  - selecting a background image based on said theme;
  - displaying said background image as a background in a second display area of said display, said displayed background image having a plurality of displayed graphical elements; and
  - superimposing text of said text communications on top of at least one of the displayed graphical elements of said background in said second display area;
  - displaying in said second display area a first group of avatar images representing a first group of the other multimedia apparatuses that are all tuned to said television programming; and
  - displaying in said second display area a second group of avatar images at least some of which are tuned to a different television programming than said television programming.
  
2. (Currently Amended) The method of claim 1, further comprising:
  - selecting an one of the avatar image images of the first or second group that is representative of a television viewer one of the second other multimedia apparatuses;
  - and
  - displaying, simultaneously with said text, said selected avatar image superimposed on top of said background in said second display area.

3. (Previously Presented) The method of claim 1, wherein selecting the background image and displaying said background image are both performed at least two times during the broadcast of said television programming.

4. (Previously Presented) The method of claim 1, wherein selecting includes selecting said background image from an image database residing in a memory device associated with said first multimedia apparatus.

5. (Previously Presented) The method of claim 1, wherein selecting includes selecting said background image from an image database residing on the Internet.

6. (Previously Presented) The method of claim 1, further comprising downloading an image database via a multiplexed broadcast stream containing said broadcast video signal, wherein selecting includes selecting said background image from said image database.

7. (Currently Amended) The method of claim 2, wherein displaying said text includes displaying said text to be superimposed on top of said background in said second display area close to said selected avatar image.

8. (Currently Amended) The method of claim 7, wherein said text remains displayed superimposed on top of said background close to said selected avatar image until another text communications is received from ~~said television viewer~~~~the one of the other~~ multimedia apparatuses.

9. (Currently Amended) The method of claim 2, further comprising:  
receiving at the first multimedia apparatus an indication of an action input to the ~~second one of the~~ multimedia apparatuses;  
in response to the indication, selecting an action image corresponding to said action input; and

displaying said action image superimposed on top of said background in said second display area.

10. (Currently Amended) The method of claim 2, further comprising:

receiving an indication of an action input to the ~~second--one of the other~~ multimedia apparatus~~apparatuses~~;

in response to the indication, selecting an action image corresponding to said action input; and

displaying said action image superimposed on top of said television programming in said first display area.

11. (Previously Presented) The method of claim 10, wherein displaying said action image includes transparently superimposing said action image over said television programming.

Claims 12-14. (Canceled).

15. (Currently Amended) An apparatus, comprising:

first receiving means for receiving a broadcast video signal including television programming;

second receiving means for receiving text communications originating from ~~each of a plurality of multimedia apparatuses, a first subset of the multimedia apparatuses being tuned to said television programming when the respective text communications are sent and a second subset of the multimedia apparatuses being tuned to a different television programming than said television programming when the respective text communications are sent, and for receiving a plurality of images;~~

storage means for storing said plurality of images;

determination means for determining a theme of said television programming and for selecting one of the images stored by the storage means based on the theme; ~~and~~

display means for displaying video of said ~~broadcast video signal~~ television programming in a first display area, for displaying the selected image in a second display area,

wherein the selected image includes a plurality of displayed graphical elements, and for displaying text of said text communications superimposed on ~~at least one of the displayed graphical elements of said selected image and simultaneously with said video of said television programming.~~

16. (Previously Presented) The apparatus of claim 15, wherein said display means is further for displaying a plurality of avatar images, retrieved from said storage means, each avatar image corresponding to one of said plurality of multimedia apparatuses, superimposed on said selected image in said second display area.

17. (Previously Presented) The apparatus of claim 16, wherein said second receiving means is further for receiving an indication of an action input from one of said plurality of multimedia apparatuses associated with one of the avatar images currently displayed in said second display area, and said display means is further for displaying an action image, retrieved from said storage means and corresponding to said action input, superimposed on said selected image in said second display area.

Claims 18-23 (Canceled).

24. (Currently Amended) An apparatus, comprising:

a receiver configured to receive a broadcast video signal ~~including television programming and to receive text communications from a plurality of multimedia apparatuses, a first subset of the multimedia apparatuses being tuned to said television programming when the respective text communications are sent and a second subset of the multimedia apparatuses being tuned to a different television programming than said television programming when the respective text communications are sent;~~

a display; and

a processor coupled to the receiver and the display, the processor configured to:

display a video of the ~~broadcast video signal~~ ~~television programming~~ in a first display area of the display,

determine a theme of the television programming included in the broadcast video signal,

select a background image based on the theme;

display the background image as a background in a second display area of the display, wherein the background image includes a displayed graphical element, and

~~superimpose text of the text communications on top of the displayed graphical element of the background simultaneously with the displayed video of the television programming.~~

25. (Previously Presented) The apparatus of claim 24, wherein the processor is further configured to:

select an avatar image that is representative of a television viewer of a different multimedia apparatus; and

display simultaneously with the text, the avatar image superimposed on top of the background in the second display area.

26. (Previously Presented) The apparatus of claim 24, further comprising a storage device coupled to the processor, wherein the processor is configured to select the background image from a plurality of background images stored by the storage device.

27. (Previously Presented) The method of claim 24, further including a network interface coupled to the processor and to a network configured to store a plurality of background images, wherein the processor is configured to select the background image from the plurality of background images stored by the network.

28. (Previously Presented) The method of claim 24, wherein the processor is further configured to download an image database via the receiver from a multiplexed broadcast stream containing the broadcast video signal, and to select the background image from the image database.

29. (Currently Amended) A method, comprising:

displaying ~~first~~ television programming included in a received broadcast video signal;

displaying, simultaneously with the ~~first~~ television programming, a ~~first~~ background based on the ~~first~~ television programming, wherein the background includes a displayed graphical element; and

superimposing text of text communications with ~~another user's~~ ~~first~~ device on ~~top~~ of the displayed graphical element of the ~~first~~ background ~~while the first device is tuned to the first television programming;~~ and

~~superimposing text of text communications with a second device on the first background while the second device is not tuned to the first television programming and simultaneously with the displayed first television programming.~~

30. (Currently Amended) The method of claim 29, further comprising determining the ~~first~~ background from a plurality of stored backgrounds based on a theme of the ~~first~~ television programming.

31. (Currently Amended) The method of claim 29, wherein displaying the ~~first~~ television programming comprises displaying the ~~first~~ television programming in a first area of a display, and displaying the ~~first~~ background comprises displaying the ~~first~~ background in a different second area of the display.

32. (Currently Amended) The method of claim 29, further comprising:

receiving the text communications from a network; and

displaying simultaneously a plurality of avatar images superimposed on the ~~first~~ background, each avatar image representing a different user of the network.

33. (Currently Amended) An apparatus, comprising:

a receiver configured to receive a broadcast video signal including ~~first~~ television programming;

a display; and

a processor coupled to the receiver and the display, and configured to:

display the first television programming,

display, simultaneously with the first television programming, a first background based on the first television programming—including a displayed graphical element, and

superimpose text of text communications with another user a first device on top of the displayed graphical element of the first background while the first device is tuned to the first television programming; and

superimpose text of text communications with a second device on the background while the second device is not tuned to the first television programming.

34. (Currently Amended) The apparatus of claim 33, further comprising a storage device coupled to the processor, the storage device configured to store a plurality of backgrounds, wherein the processor is further configured to determine the first background from the plurality of backgrounds based on a theme of the first television programming.

35. (Currently Amended) The apparatus of claim 33, wherein the processor is further configured to display the first television programming in a first area of the display, and to display the first background in a different second area of the display.

36. (Currently Amended) The apparatus of claim 33, further comprising a network interface coupled to the processor and configured to receive the text communications, wherein the processor is further configured to display simultaneously a plurality of avatar images superimposed on the first background, each avatar image representing a different user of the network.

37. (New) The method of claim 29, further comprising:

tuning away from the first television programming to second television programming included in the received broadcast video signal;

displaying the second television programming;

displaying, simultaneously with the second television programming, a second background based on the second television programming;

responsive to tuning away from the first television programming, stopping from displaying the text of the text communications with the first device;

continuing to superimpose text of text communications with the second device on the second background while the second device is not tuned to the second television programming; and

superimposing text of text communications with a third device on the second background while the third device is tuned to the second television programming.

38. (New) The apparatus of claim 33, wherein the broadcast video signal further includes second television programming, and wherein the processor is further configured to:

tune away from the first television programming to the second television programming;

display the second television programming;

display, simultaneously with the second television programming, a second background based on the second television programming;

responsive to tuning away from the first television programming, stop from displaying the text of the text communications with the first device;

continue to superimpose text of text communications with the second device on the second background while the second device is not tuned to the second television programming; and

superimpose text of text communications with a third device on the second background while the third device is tuned to the second television programming.